

## PATENT

## REMARKS

Claims 1-26 are pending in the present application. In the above amendments, claims 1-5, 7, 9, 16, 17, and 19-20 have been amended.

In the Office Action mailed June 15, 2005, the Examiner rejected claims 1, 4, 6, 8, and 19-21, under 35 U.S.C. §102(e) as being anticipated by Garyantes et al. (US 2001/0036195). The Examiner objected to claims 2-3, 5, 7, 9-18, and 22-26, as being dependent upon a rejected base claim.

Applicant respectfully responds to this Office Action.

Claims 2, 3, 5, 7, 9, 16 and 17 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus the objection to these claims has been overcome. Claims 10-15, and 18 are dependent on these claims and are now in a condition for allowance as well.

## 35 U.S.C. §102

The standard for anticipation under §102 requires "the presence in a single prior art disclosure of all elements of a claimed invention arranged as in that claim." *Carella v. Starlight Archery & Pro Line Co.*, 804 F.2d 135, 138, 231 U.S.P.Q.D (BNA) 644, 646 (Fed. Cir. 1998) (*quoting Panduit Corp. v. Dennison Mfg. Co.*, 774 F.2d 1082, 1101, 227 U.S.P.Q. (BNA) 337, 350 (Fed. Cir. 1985)) (*additional citations omitted*). As discussed further below, the Examiner has failed to identify each and every claim limitation, as set forth below. Thus, the Examiner has failed to set forth a prima facie case of anticipation, and the rejections to claims 1, 4, 6, 8, and 19-21 should be withdrawn.

The embodiments taught in Garyantes process a fixed set of samples, and, while doing so, process whatever portion of a symbol is contained within those samples. Garyantes is silent as to cycle boundary signals. Nonetheless, claims 1, 4, 19 and 20 have been edited to clarify the symbol processing is initiated in response to the cycle boundary signal. These amendments are

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made to clarify that the present invention is distinguished from the cited art, and should not be construed as additional limitations.

Claims 6 and 8 are dependent on claim 4 and should therefore also be allowed based on the argument given above.

With respect to claim 21, as before, Garyantes does not teach cycle boundaries. Furthermore, Garyantes is silent as to generating interrupts, and is silent as to generating interrupts on processing cycle boundaries. Thus Garyantes does not anticipate claim 21 nor dependent claims 22-26. Therefore the Examiner should withdrawal the rejection of these claims. Furthermore, claims 22-26 are allowable as originally filed, except for the objection, which has now been overcome.

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**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By: 

George C. Pappas, Reg. No. 35,065  
Telephone No. 858-651-1306

QUALCOMM Incorporated  
5775 Morehouse Drive  
San Diego, California 92121  
Telephone: (858) 651-4125  
Facsimile: (858) 658-2502